

## **REMARKS**

### **SUMMARY**

Claims 1, 2, 4-7, 9, 10, 12-14 and 16-23 were pending, and rejected. In this response, various claims have been amended and claim 19 has been canceled without prejudice, as set forth above. Accordingly, claims 1, 2, 4-7, 9, 10, 12-14, 16-18, and 20-23 remain pending, and for at least the reasons set forth below, are in condition of allowance.

### **CLAIM OBJECTIONS**

In the Action, claims 10, 12-14, and 16-23 were rejected under § 112, second paragraph, for being indefinite. In response, claims 10, 12-14, and 16-23 have been amended, overcoming the objections. Withdrawal of the objections is respectfully requested.

### **CLAIM REJECTIONS – 35 U.S.C. § 103**

In the Action, claims 10, 12-14 and 17-23 were rejected under 35 U.S.C. 103(a) as being unpatentable in view of Bork et al, USP 6,954,657, and O’Neil et al U.S. Patent App. Pub. No. 2004/0224693. In response, various claims at issue have been amended as set forth above.

Amended claim 10 now recites:

“10. (Currently amended) A mobile apparatus, comprising:

an orientation sensor; and

at least one processing module operatively coupled with the orientation sensor, and configured to

gather physical context information of the mobile apparatus, including receipt of output signals from the orientation sensor,

gather user-specific location or schedule information from one or more sources wherein the user-specific location information includes at least a current location of the mobile apparatus, and the user-specific schedule information includes a current activity of a user of the mobile apparatus;

process the physical context information and the user-specific location or schedule information, including process the output signals of the orientation sensor to determine an orientation of the mobile apparatus; and modify behavior of the mobile apparatus based on a result of the determination, and defined preferences of the user.” (Emphasis added.)

Bork teaches a wireless device (100) having an optimum alert sequence definition. It also teaches analysis of its environment, including time and type of incoming call, and selects an appropriate alert signal. See e.g., Abstract. Oneil teaches a wireless internet server configured to route internet content from a content provider, and provides access to wireless customers. See e.g., Abstract. The arrangement may include an SMS phone receiving PIM information. Para [0076].

However, Bork and Oneil in combination does not teach or suggest, at least the recitations of a mobile apparatus having “an orientation sensors,” and “at least one processing module” configured to, among other things, “(receive) output signals of the orientation sensor, ... process the output signals of the orientation sensor to determine whether an orientation of the mobile apparatus, and modify behavior of the mobile apparatus based on a result of the determination,, ..., ” as recited in claim 10.

Accordingly, it is submitted that Bork and Oneil in combination thus not enable the Action to meet the burden of establishing a prima facie case of obviousness against amended claim 10, therefore, amended claim 10 is patentable over the cited references combined under § 103.

Claim 17 includes similar recitations. Accordingly, for at least similar reasons, claim 17 is patentable over the cited references combined under § 103.

Claims 12-14 and 18-23 depend from either claim 10 or 17, incorporating the corresponding recitations. Claims 12-14 and 18-23 are therefore, for at least similar reasons, patentable over the cited references combined under § 103.

Claims 1-7 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable in view of Bork et al, USP 6,954,657, and Parupudi et al, U.S. Patent 7,076,255. In response, claims 1, 2-7 and 9 have been amended. In particular, claim 1 has been amended to include the recitations earlier discussed with respect to claim 10. Parupudi

does not remedy the earlier discussed deficiencies of Bork and Oneil. Therefore, claim 10 remains patentable over Bork, even if combined with Parupudi instead. Thus, for similar reasons, claim 1 is patentable over Bork and Parupudi combined under § 103.

Claim 3 was previously canceled and not pending. Accordingly, the rejection is moot.

Claims 2, 4-7 and 9 depend from either claim 1, incorporating its recitations. Claims 2, 4-7 and 9 are therefore, for at least similar reasons, patentable over Bork and Parupudi combined under § 103.

### **CONCLUSION**

For at least the above reasons, a Notice of Allowance is earnestly requested. If the Examiner has any questions concerning the present paper, the Examiner is requested to contact the undersigned at (206) 381-8819. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge Deposit Account No. 500393.

Respectfully submitted,  
Schwabe, Williamson & Wyatt, P.C.

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/Al AuYeung /  
Al AuYeung  
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